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Contact: Bill Nowling or Amanda Price 517-373-0797 or 517-373-3447

Senate Sends Governor Bill To Keep Michigan Waters Clean

Legislation creates permits fees to manage water discharge program

LANSING – The Michigan Senate today approved legislation that will help protect the state's freshwater resources by requiring water discharge permit holders to pay an annual fee to administer the program, announced Senate Majority Leader Ken Sikkema and Sen. Patty Birkholz, Natural Resources and Environmental Affairs Committee chairperson.

The legislation, which now goes to the governor's desk for signature, creates the National Pollutant Discharge Elimination System Fund. It requires water discharge permit holders to submit an application fee and pay an annual permit fee based in part on Environmental Protection Agency designations.

"Establishing new fees is never easy but the money is needed to continue the current pollution clean-up programs," said Sikkema, R-Wyoming. "This is another important step in protecting our state's natural resources that was recommended in the Great Lakes Task Force Report."

Money left in the NPDES Fund at the close of the fiscal year would remain in the fund and not lapse to the general fund. The Department of Environmental Quality would be allowed to spend money from the fund, upon appropriation, only for administration of the NPDES program.

"We worked hard on this legislation and I feel we have reached a reasonable compromise," said Birkholz, R-Saugatuck Twp. "Requiring permit fees will allow the programs to be funded partially by the users and partially by the General Fund. I'd like to thank the business, agricultural and industrial communities for their suggestions and input on this legislation, as well as my Senate colleagues who helped resolve this issue."

The NPDES was established in 1972 under the federal Clean Water Act as the primary tool for controlling water pollution. Unlike other states, Michigan currently does not assess fees for issuing NPDES permits. With this legislation, Michigan now joins the list of states that receive significant funding for various water quality programs from NPDES permits.